

**VIRGINIA BOARD OF NURSING  
FORMAL HEARINGS  
Monday, July 18, 2011**

**TIME AND PLACE:** The meeting of the Virginia Board of Nursing was called to order at 9:00 A.M. on July 18, 2011 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

**BOARD MEMBERS  
PRESENT:**

Patricia M. Selig, R.N., F.N.P., Ph.D., President  
John M. Horn, L.P.N.  
Florence Jones-Clark, R.N., M.S.  
Patricia C. Lane, R.N., B.S.N.  
William Traynham, L.P.N.  
Joseph Schibner, C.M.T. (joined later)

**STAFF PRESENT:**

Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director  
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director  
Krystal Blanton, Senior Discipline Specialist  
Amy Davis, Executive Assistant (joined later)

**OTHERS PRESENT:**

Howard M. Casway, Senior Assistant Attorney General  
Nursing students from Fortis College

**ESTABLISHMENT OF  
A QUORUM:**

With five members of the Board present, a quorum was established.

**FORMAL HEARINGS:**

**Karen Hancock, C.N.A. Reinstatement Applicant 1401-056527**  
Ms. Hancock appeared.

Amanda Blount, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Sherelle A. Bradley, court reporter, recorded the proceedings.

Patricia Sheehan, Senior Investigator, Department of Health Professions; and Rachel Shaw, Senior Investigator, Department of Health Professions were present and testified.

**CLOSED MEETING:**

Ms. Lane moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(15) of the *Code of Virginia* at 9:14 A.M., for the purpose of consideration and discussion of mental health records of Ms. Hancock that are excluded from the Freedom of Information Act by Virginia Code Section 1 of 2.2-3705. Additionally, Ms. Lane moved that Ms. Douglas, Ms. Mitchell, Ms. Blanton, Ms. Blount, Ms. Bradley and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 9:33 A.M.

Ms. Lane moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

CLOSED MEETING:

Ms. Lane moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:52 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Hancock. Additionally, Ms. Lane moved that Ms. Douglas, Ms. Mitchell, Ms. Blanton and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 10:10 A.M.

Ms. Jones-Clarke moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Mr. Traynham moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Blount and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Ms. Lane moved that the Board of Nursing deny the reinstatement application of Karen Hancock to practice as a certified nurse aide and continue the certificate on indefinite suspension. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

FORMAL HEARINGS:

**Ms. Tanika Howard, C.N.A. Reinstatement Applicant 1401-057879**

Ms. Howard appeared.

Cynthia Gaines, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Sherelle A. Bradley, court reporter, recorded the proceedings.

Cecile Custer, Senior Investigator, Department of Health Professions; Jeanelle Howard, sister of Ms. Howard; Jerkita Carpenter, former coworker; and Rev. Sharon Broaddus were present and testified.

CLOSED MEETING: Ms. Lane moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:25 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Howard. Additionally, Ms. Lane moved that Ms. Douglas, Ms. Mitchell, Ms. Blanton and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 11:47 A.M.

Ms. Jones-Clarke moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Mr. Traynham moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Gaines and amended by the Board.

The motion was seconded and carried unanimously.

ACTION: Ms. Lane moved that the Board of Nursing reinstate the nurse aide certificate of Tanika Howard and place her certificate on indefinite probation with terms and upon submitting proof of completion of federal court ordered probation. The motion was seconded and carried. Mr. Horn, Ms. Jones-Clarke, Ms. Lane and Mr. Traynham were in favor of the motion. Dr. Selig opposed the motion.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

FORMAL HEARINGS: **Myra E. Harris, C.N.A. 1401-065553**  
Ms. Harris appeared.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Sherelle A. Bradley, court reporter, recorded the proceedings.

Doris Leo, L.P.N.; Lori Maas, L.P.N., Danny Vernon, former coworker were present and testified.

CLOSED MEETING: Ms. Lane moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:07 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Harris. Additionally, Ms. Lane moved that Ms. Douglas, Ms. Mitchell, Ms. Blanton and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 1:20 P.M.

Ms. Lane moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Mr. Traynham moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jones and amended by the Board.

The motion was seconded and carried unanimously.

**ACTION:**

Mr. Horn moved that the Board of Nursing reprimand Myra Harris. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

**RECESS:**

The Board recessed at 1:22 P.M.

**RECONVENTION:**

The Board reconvened at 2:09 P.M.

Ms. Davis joined the meeting. Ms. Blanton left the meeting.

**FORMAL HEARINGS:**

**Ms. Yolanda R. Boyd, C.N.A. Reinstatement Applicant 1401-070644**

Ms. Boyd appeared.

Amanda Blount, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Sherelle A. Bradley, court reporter, recorded the proceedings.

Patricia Sheehan, Senior Investigator, Department of Health Professions was present and testified.

Ms. Douglas left the meeting.

**CLOSED MEETING:**

Ms. Lane moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:07 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Boyd. Additionally, Ms. Lane moved that Ms. Mitchell, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

**RECONVENTION:**

The Board reconvened in open session at 3:20 P.M.

Ms. Lane moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Mr. Traynham moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Blount.  
The motion was seconded and carried unanimously.

**ACTION:**

Mr. Traynham moved that the Board of Nursing deny the application of Yolanda Boyd for reinstatement of her nurse aide certificate and further, continue the certificate on indefinite suspension. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

**FORMAL HEARINGS:**

**Debbie Lewis, C.N.A. Applicant; R.M.A. Applicant**  
Ms. Lewis did not appear.

Tammie Jones, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Sherelle A. Bradley, court reporter, recorded the proceedings.

**CLOSED MEETING:**

Ms. Lane moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:34 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Lewis. Additionally, Ms. Lindsay moved that Ms. Mitchell, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.  
The motion was seconded and carried unanimously.

**RECONVENTION:**

The Board reconvened in open session at 3:44 P.M.

Ms. Lane moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.  
The motion was seconded and carried unanimously.

Mr. Horn moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jones.  
The motion was seconded and carried unanimously.

**ACTION:**

Mr. Horn moved that the Board of Nursing deny the application of Debbie Lewis for certification as a nurse aide and for registration as a medication aide in Virginia. The motion was seconded and carried. Mr. Horn, Dr. Selig and Ms. Lane were in favor of the motion. Mr. Traynham and Ms. Jones-Clarke opposed the motion.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

Mr. Schibner joined the meeting, Mr. Horn left the meeting.

FORMAL HEARINGS:

**Young Jo Truman, C.M.T. 0019-008375**

Ms. Truman appeared, represented by Michael Vivenzio, attorney, and accompanied by Jane Lufkin, interpreter.

James Rutkowski, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Sherelle A. Bradley, court reporter, recorded the proceedings.

Ms. Douglas joined the meeting.

CLOSED MEETING:

Ms. Lane moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 4:08 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Truman. Additionally, Ms. Lane moved that Ms. Douglas, Ms. Mitchell, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 4:27 P.M.

Ms. Lane moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Dr. Selig stated the Board will proceed with the formal hearing as planned.

Naima Fellers, Senior Investigator, Department of Health Professions; and Detective Doug Shaw, Leesburg Police Department were present and testified.

CLOSED MEETING:

Ms. Lane moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 5:27 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Truman. Additionally, Ms. Lane moved that Ms. Douglas, Ms. Mitchell, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 5:51 P.M.

Ms. Lane moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Mr. Traynham moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Rutkowski and amended by the Board. The motion was seconded and carried unanimously.

ACTION: Mr. Schibner moved that the Board of Nursing revoke the massage therapy certificate of Young Jo Truman. The motion was seconded and carried. Mr. Schibner, Mr. Traynham, Dr. Selig and Ms. Lane were in favor of the motion. Ms. Jones-Clarke opposed the motion.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

RECESS: The Board recessed at 5:53 P.M.

RECONVENTION: The Board reconvened at 5:59 P.M.

FORMAL HEARINGS: **Lamar Williams, C.M.T. 0019-005284**  
Mr. Williams did not appear.

James Rutkowski, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Sherelle A. Bradley, court reporter, recorded the proceedings.

Louise Brown, C.M.T. was present and testified.

CLOSED MEETING: Ms. Lane moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 6:10 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. Williams. Additionally, Ms. Lane moved that Ms. Douglas, Ms. Mitchell, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 6:25 P.M.

Ms. Jones-Clarke moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

Mr. Traynham moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Rutkowski. The motion was seconded and carried unanimously.

ACTION: Mr. Schibner moved that the Board of Nursing revoke the massage therapy certificate of Lamar Williams. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

ADJOURNMENT:           The Board adjourned at 6:26 P.M.

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Gloria D. Mitchell, R.N., M.S.N., M.B.A.  
Deputy Executive Director